

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS
WAS HELD AUGUST 18, 1998 AT 10:30 A.M. IN WARRENTON, VIRGINIA

P R E S E N T Mr. David C. Mangum, Chairman; Mr. Larry L. Weeks, Vice
Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr.
James A. Rankin; Mr. G. Robert Lee, County Administrator; Mr.
Paul S. McCulla, County Attorney

PROPOSAL TO INVOLVE CITIZENS IN THE BUDGET PROCESS - VICE CHAIRMAN WEEKS

A work session was held to review and discuss the proposal to involve
citizens in the budget process.

FEASIBILITY STUDY FOR A PROPOSED PARK ON THE RAPPAHANNOCK RIVER -
JOHN DAVY - DEPARTMENT OF CONSERVATION AND RECREATION

A work session was held with representatives of the Department of
Conservation and Recreation to receive the feasibility study for a proposed park on
the Rappahannock River.

REZONING REQUEST - WATERFIELD

A work session was held to allow Dr. Michael Siegel of Public and
Environmental Finance Associates, Dr. Elliot Dubin of the National Association of
Home Builders, and Mr. Phil Hammer who represents Fauquier Lakes Limited
Partnership, to present the results of their respective fiscal impact analysis of the
reviewed proffer statement for the Waterfield project.

WARREN COUNTY BOUNDARY ADJUSTMENT UPDATE - SUPERVISOR GREEN

Supervisor Green gave an update on the status of the Warren County
boundary adjustment.

The Board of Supervisors convened in Regular Session at 3:00 p.m. in the
Warren Green Meeting Room.

ADOPTION OF THE AGENDA

Mr. Burton moved to adopt the agenda subject to adding A Resolution of the
Board of Supervisors Authorizing the Out of Turn Filing of a Comprehensive Plan
Amendment and the Scheduling and Holding of a Joint Public Hearing with the
Fauquier County Planning Commission on the Special Exception Request and
Comprehensive Plan Amendment Relating to the Proposed Virginia Power
Remington Combustion Turbine Station Application to the agenda for consideration.
Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W.
Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None

Abstention: None

CITIZENS TIME

Beverly Butterfield introduced Paula Debes as the newly hired 4-H Agent.

Hope Porter, Bill Downey, Chuck Medvitz, Dennis McMullin, Emily Darrell, Julie Shiven, and Dennis McLaughlin spoke in opposition to the Waterfield Rezoning Request.

Steve Potucek spoke in favor of the Waterfield Rezoning Request.

Joe Winklemann spoke in opposition to the Waterfield Rezoning Request and in favor of the proposed Virginia Power Combustion Turbine Station.

REMINGTON GROUP HOME UPDATE

Chris Miller, representing the Rappahannock-Rapidan Community Services Board, informed the Board that the Remington Group Home would be opening Tuesday, September 8 with two residents. The Group Home would be phasing-in the other residents over the next eight weeks.

CONSENT AGENDA

Mr. Green moved to adopt the following Consent Agenda items. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the July 21, 1998 Fauquier County Board of Supervisors Meeting

A Resolution Authorizing the County Administrator to Schedule a Public Hearing to Receive Citizen Comment on a Proposed Ordinance Amending Chapter 2.5 of the Code of Fauquier County Relating to Alarm Systems Making Certain Technical Amendments to Numerical References Contained in the Chapter

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING TO RECEIVE CITIZEN COMMENT ON A PROPOSED ORDINANCE AMENDING CHAPTER 2.5 OF THE CODE OF FAUQUIER COUNTY RELATING TO ALARM SYSTEMS MAKING CERTAIN TECHNICAL AMENDMENTS TO NUMERICAL REFERENCES CONTAINED IN THE CHAPTER

WHEREAS, the Board of Supervisors of Fauquier County has previously adopted Chapter 2.5 of the Code of Fauquier County related to alarm systems; and

WHEREAS, the Board of Supervisors wishes to consider amendments to Sections 2.5-8(c); 2.5-9(d); 2.5-11; 2.5-12; 2.5-13(a) and 2.5-16(a) of the Code of Fauquier County relating to numerical references contained within the Chapter; now, therefore, be it

RESOLVED, by the Board of Supervisors of Fauquier County this 18th day of August 1998, That the County Administrator be, and is hereby, directed to schedule a public hearing to receive citizen comment on a proposed ordinance amending Sections 2.5-8(c); 2.5-9(d); 2.5-11; 2.5-12; 2.5-13(a) and 2.5-16(a) of the Code of Fauquier County.

A Resolution Authorizing the County Administrator to Schedule a Public Hearing to Receive Citizen Comment on a Proposed Ordinance Amending Sections 1-7 and 5-11 and Adding Section 5-11.1 of the Code of Fauquier County to Raise the Maximum Penalty for Violations of the Code of Fauquier County and the County Building Code from \$1,000 to \$2,500 and from Maximum Imprisonment of Thirty Days to One Year

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO RECEIVE CITIZEN COMMENT ON A PROPOSED ORDINANCE AMENDING SECTIONS 1-7 AND 5-11 AND ADDING SECTION 5-11.1 OF THE CODE OF FAUQUIER COUNTY TO RAISE THE MAXIMUM PENALTY FOR VIOLATION OF THE CODE OF FAUQUIER COUNTY AND THE COUNTY BUILDING CODE FROM ONE THOUSAND DOLLARS (\$1,000) TO TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) AND FROM A MAXIMUM IMPRISONMENT OF THIRTY (30) DAYS TO ONE YEAR

WHEREAS, Section 1-7 of the Code of Fauquier County provides a general penalty of a fine of up to one thousand dollars (\$1,000.00) and/or by imprisonment for a period of not more than thirty (30) days for violating any provision of the Code of Fauquier County which contains no specific penalty; and

WHEREAS, Section 5-11 of the Code of Fauquier County provides a general penalty of a fine of up to one thousand dollars (\$1,000.00) for violating any provision of Chapter 5 (Building Code) of the Code of Fauquier County which contains no specific penalty; and

WHEREAS, Section 15.2-1429 of the Code of Virginia, 1950, as amended, provides that the fine or term of confinement for the violation of a locality's ordinances shall not exceed the penalties provided by general law for the violation of a Class 1 misdemeanor which are confinement in jail for not more than twelve (12) months and a fine of not more than two thousand five hundred dollars (\$2,500), either or both; and

WHEREAS, Section 36-106 of the Code of Virginia, 1950, as amended, provides for fines of up to two thousand five hundred dollars (\$2,500) for violations of the Uniform Statewide Building Code; and

WHEREAS, the Fauquier County Building Official has requested that the Board of Supervisors consider amending the Fauquier County Code to increase the penalties for the violation of the Code of Fauquier County as it relates to the Uniform Statewide Building Code to the maximum of those permitted by the Code of Virginia; and

WHEREAS, the Board of Supervisors, by adoption of this resolution, determines it to be in the best interest of the citizens of the County to schedule a public hearing to receive citizen comment on the proposed amendments to the Code of Fauquier County to increase the maximum penalty and imprisonment for violations of the County Code and the Building Code; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 18th day of August 1998, That the County Administrator be, and is hereby, directed to schedule a public hearing to receive citizen comments on the proposed addition of Section 5-11.1, and amendments to Section 1-7 and 5-11, of the Code of Fauquier County.

A Resolution Authorizing the Virginia Department of Transportation to Erect a "Children at Play" Sign on Marr Drive in the Warrenton Lakes Subdivision, Center District

RESOLUTION

A RESOLUTION AUTHORIZING THE VIRGINIA DEPARTMENT
OF TRANSPORTATION TO INSTALL AND MAINTAIN SIGNS ALERTING
MOTORISTS THAT CHILDREN MAY BE AT PLAY NEARBY

WHEREAS, Section 33.1-210.2 of the Code of Virginia, 1950, as amended, provides that the governing body of any county may, by resolution, request the Commissioner to install and maintain signs alerting motorists that children may be at play nearby; and

WHEREAS, a concerned citizen in the Warrenton Lakes Subdivision, located in Center District, has requested that this Board authorize the installation and maintenance of "Watch For Children" signs along Marr Drive located in the Warrenton Lakes Subdivision; and

WHEREAS, Section 33.1-210.2 provides that the cost of installing said signs shall be paid out of the secondary system construction allocation and that maintenance of said signs shall be paid out of the secondary system maintenance allocation to the affected county; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 1998, That the Transportation Commissioner be directed to install and maintain a "Watch For Children" sign on Marr Drive in the Warrenton Lakes Subdivision; and, be it

RESOLVED FURTHER, That the source of funding for the installation of the signs shall be the secondary system construction allocation to Fauquier County and maintenance of said signs shall be paid out of the secondary system maintenance allocation to Fauquier County.

A Resolution to Authorize and Direct the Publication of the Delinquent List of Local Taxes

RESOLUTION

A RESOLUTION TO AUTHORIZE AND DIRECT THE PUBLICATION OF THE

DELINQUENT LIST OF LOCAL TAXES

WHEREAS, Section 58.1-3921 of the Code of Virginia (1950), as amended requires the Treasurer, not later than August 1st each year, to make out lists as follows:

1. A list of real estate on the Commissioner's land book improperly placed thereon or not ascertainable, with the amount of taxes charged thereon;
2. A list of other real estate which is delinquent for the nonpayment of the taxes thereon;
3. A list of such of the taxes assessed on tangible personal property, machinery and tools, and merchant's capital, and other subjects of local taxation, other than real estate, as the Treasurer is unable to collect;
4. A list of uncollected taxes amounting to less than five dollars each for which no bills were sent; and

WHEREAS, Section 58.1-3924 requires a copy of each of the four lists to be submitted by the Treasurer to the governing body at the first meeting of the governing body held after the Treasurer has completed the lists; and

WHEREAS, the governing body shall cause the lists, or such parts thereof as deemed advisable, to be published once in a newspaper in the County with the publication costs to be charged to the delinquent taxpayers listed; and

WHEREAS, the Procurement Division of the Consolidated Finance Department is responsible for bidding all goods and services used by the County in accordance with the specifications provided by the Board of Supervisors and in accordance with Fauquier County's Procurement Procedures; and

WHEREAS, funds for the advertising of the delinquent lists are included in the Treasurer's budget and shall be disbursed from that budget; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 1998, That the County Administrator be, and is hereby, authorized to publish the delinquent tax lists in accordance with the pertinent sections of the Code of Virginia (1950), as amended and in accordance with the specifications provided by the Board of Supervisors and the Fauquier County Procurement Procedures.

A Resolution to Authorize the Chairman of the Fauquier County Board of Supervisors to Sign the Fletcherville Public Water and Sewer Agreement

RESOLUTION

A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE
FAUQUIER COUNTY BOARD OF SUPERVISORS TO SIGN
THE FLETCHERVILLE PUBLIC WATER AND SEWER AGREEMENT

WHEREAS, on 2 June 1998, the Board of Supervisors adopted a resolution to amend Chapters 6 and 7 of the Comprehensive Plan to incorporate the extension of public water and sewer to villages and settlements facing an imminent health

hazard, as identified by the Virginia Department of Health, where the landowner(s) has agreed to pay for the utility extension and the appropriate public authority is willing to serve the defined village or settlement. The resolution also amended Chapter 7 to revise the Village of Fletcherville plan to identify the area zoned Village (V) and Commercial-Village (CV), and a Health Remediation District; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 1998, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to sign the Fletcherville Remediation Sewer Agreement.

Preliminary Subdivision Application - Moonlit Forest

No action was taken.

A Resolution Requesting the Virginia Department of Transportation to Implement Through Traffic Restrictions in the Village of Paris, Virginia

RESOLUTION

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF
TRANSPORTATION TO IMPLEMENT THROUGH TRAFFIC RESTRICTIONS
IN THE VILLAGE OF PARIS, VIRGINIA

WHEREAS, the Citizens of the Village of Paris have asked Fauquier County to recommend to the Virginia Department of Transportation that through traffic be restricted through the Village of Paris; and

WHEREAS, the through automobile and truck traffic is causing a safety problem on the narrow streets of the Village of Paris; and

WHEREAS, at its meeting on June 24, 1998, the Fauquier County Transportation Committee passed a motion recommending that the Board of Supervisors approve a Resolution endorsing the Implementation of Through Traffic Restriction within the Village of Paris and to allow Children at Play signs within the Village of Paris; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 1998, That the Virginia Department of Transportation implement Through Traffic Restrictions and Children at Play signs in the Village of Paris and that a copy of this Resolution be forwarded to the Virginia Department of Transportation.

A Resolution to Accept Confederate Boulevard, Fort Union Drive, and Battle Ridge Drive in the Lees Glen Subdivision into the Secondary Highway System

RESOLUTION

FAUQUIER COUNTY BOARD OF SUPERVISORS SUBDIVISION
STREET ACCEPTANCE FOR THE LEES GLEN SUBDIVISION,
SECTION ONE, PHASE ONE AND TWO, LEE MAGISTERIAL DISTRICT

WHEREAS, certain streets, titled Confederate Boulevard, Fort Union Drive and Battle Ridge Drive in the "Lees Glen Subdivision, Section One, Phase One and Two Fauquier County" dated August 7, 1998, and described on the Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the

Clerks Office of the Circuit Court of Fauquier County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the above streets serve a genuine public need; and

WHEREAS, Fauquier County and the Virginia Department of Transportation have entered into an agreement on February 7, 1995, for comprehensive stormwater detention, which applies to this request for addition; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 1998, That the Virginia Department of Transportation be, and is hereby, requested to take the necessary action to add the above described streets in the State Highway Secondary System for maintenance, as provided in Section 33.1-229, Code of Virginia, 1950, as amended, and the Virginia Department of Transportation's Subdivision Street Requirements; and, be it

RESOLVED FURTHER, That this Board does guarantee the Commonwealth of Virginia a minimum unrestricted right-of-way of fifty feet in the Lees Glen Subdivision, Section One, Phase One and Two, with necessary easements for cuts, fills, and drainage; recorded in Deed Book 741, Page 305, dated July 24, 1995 and Deed Book 752, Page 211, dated March 1, 1996, respectively; and, be it

RESOLVED FINALLY, That a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

A Resolution to Request the Planning Commission to Hold a Public Hearing and Make Recommendations to Add a Proposed Planned Industrial Technology District (PITD) to the Zoning Ordinance for Use at Vint Hill Farms Station and Other Former Federal- or State-Owned Property

RESOLUTION

A RESOLUTION TO REQUEST THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING AND MAKE RECOMMENDATIONS TO ADD A PROPOSED PLANNED INDUSTRIAL TECHNOLOGY DISTRICT (PITD) TO THE ZONING ORDINANCE FOR USE AT VINT HILL FARMS STATION AND OTHER FORMER FEDERAL- OR STATE-OWNED PROPERTIES

WHEREAS, the Board of Supervisors has previously amended the Fauquier County Comprehensive Plan to call for the Vint Hill Farms Station property to be redeveloped as a Planned Industrial Technology District (PITD); and

WHEREAS, a PITD ordinance does not currently exist in the Fauquier County Zoning Ordinance; and

WHEREAS, a draft PITD ordinance has been prepared that identifies the purposes and conditions under which certain former Federal- or State-owned properties can be rezoned to PITD; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 1998, That the Planning Commission be, and is hereby, requested to hold a public hearing and make recommendations on amending the Fauquier County Zoning Ordinance to include a proposed Planned Industrial Technology District

(PITD) .

REZONING REQUEST - WATERFIELD

A public hearing was held at the July 21, 1998 meeting to consider a request from Fauquier Lakes Limited Partnership/Waterfield to rezone 440 acres from Residential-1 (R-1) to Planned Residential District (PRD). The property is located on the southwest side of Lake Drive (Route 1306), east of Riley Road (route 676), and southwest of Shepherdstown Road (Route 793), in the New Baltimore Service District, Scott District.

Mr. Weeks moved to deny the rezoning request. Mr. Green seconded, and the vote for the motion was 2 to 3 as follows:

Ayes: Mr. Larry L. Weeks; Mr. James R. Green, Jr.
Nays: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr.
James A. Rankin
Absent During Vote: None
Abstention: None

Mr. Burton then moved to adopt an ordinance approving the rezoning based on newly submitted proffers limiting the size of the PRD to no more than 750 dwelling units. Mr. Rankin seconded.

Mr. Weeks then called for a point of order stating that the motion of approval was out of order pursuant to Section 5-2 A. of the 1998 By-Laws and Rules of Procedure for the Fauquier County Board of Supervisors pertaining to Delivery of Agenda which states, "The agenda and related materials for regular Board meetings shall be received by each member of the Board and the County Attorney at least forty-eight (48) hours prior to the meeting." The new proffers were submitted by the applicant at 1:00 p.m. on August 18, 1998.

Following a ruling by Mr. McCulla, Mr. Mangum declared that the motion would be set aside and recommitted at the September 1, 1998 regular Board of Supervisors meeting.

STATEMENT OF APPEAL TO THE FAUQUIER COUNTY BOARD OF SUPERVISORS IN ACCORDANCE WITH THE "PROCEDURE FOR APPEALS TO THE BOARD OF SUPERVISORS", PURSUANT TO SECTION 11 OF THE FAUQUIER COUNTY SUBDIVISION ORDINANCE - GLASCOCK FAMILY TRANSFER - JOHN W. WINE

John Wine, representing Dr. and Mrs. Joseph Servideo and Mr. and Mrs. Chester Glascock, requested an appeal of the decision of the Subdivision Agent to approve the Family Transfer Plat of Gregory T. and Cindy L. Glascock to Naomi May Glascock. The property is located on the southeast side of Featherstone Lane, approximately 800 feet south of the intersection of Featherstone Lane and Bunker Hill Road (Route 763), PIN #6989-16-4956-000, Scott District. Mr. Weeks moved to table the decision until the September 15, 1998 meeting. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A.
Rankin
Nays: None

Absent During Vote: None
Abstention: None

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE 1998-1999 RURAL
TRANSPORTATION PLANNING GRANT

Mr. Weeks moved to adopt the following resolution. Mr. Rankin seconded,
and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A.
Rankin

Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION FOR FAUQUIER COUNTY TO MATCH
A TRANSPORTATION PLANNING GRANT
FROM PLANNING DISTRICT 9

WHEREAS, Fauquier County has received a grant from Planning District 9 for
funding from the District's Rural Transportation Planning Grant; and

WHEREAS, Fauquier County has successfully utilized Rural Transportation
Planning Grant Funds from Planning District 9 during the current fiscal year; and

WHEREAS, Fauquier County has identified a major area of the County where
transportation planning studies are needed; and

WHEREAS, Fauquier County has been notified by Planning District 9 that the
County has been allocated a total of nine thousand three hundred and twenty-four
dollars (\$9,324) in Rural Transportation Planning Grant funds for the New Baltimore
Service District Transportation Study; and

WHEREAS, Fauquier County will authorize 25% of the grant funds or two
thousand three hundred thirty-one dollars (\$2,331) as its local match; and

WHEREAS, the Planning Commission's and Board of Zoning Appeals' FY
1998 budget will have excess funding sufficient to cover the local portion of the
grant; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of
August 1998, That Fauquier County acknowledges the nine thousand three
hundred twenty four dollars (\$9,324) in Rural Transportation Planning Grant funds
from Planning District 9 and agrees to budget two thousand three hundred and
thirty-one dollars (\$2,331) as its local match; and, be it

RESOLVED FURTHER, That a carryover in the amount of two thousand three
hundred and thirty-one dollars (\$2,331) from the Planning Commission's/Board of
Zoning Appeals' FY 1998 budget will be appropriated to the Planning
Commission's/Board of Zoning Appeals' FY 1999 budget.

ZONING ORDINANCE TEXT AMENDMENTS TO ESTABLISH A PLANNED
COMMERCIAL INDUSTRIAL DEVELOPMENT (PCID) ZONING DISTRICT

Mr. Mangum moved to adopt the following ordinance. Mr. Weeks seconded, and the vote for the motion was 4 to 0, as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James A. Rankin

Nays: None

Absent During Vote: Mr. James R. Green, Jr.

Abstention: None

ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE
TO ESTABLISH A PLANNED COMMERCIAL INDUSTRIAL
DEVELOPMENT (PCID) ZONING DISTRICT

WHEREAS, the Fauquier County Comprehensive Plan was amended in May 1996 to establish a Planned Commercial Industrial Development (PCID) land use district and to designate an area in the Opal Service District for PCID uses; and

WHEREAS, the Comprehensive Plan calls for revisions to the Zoning Ordinance to establish such a PCID district; and

WHEREAS, on January 7, 1997, the Board of Supervisors initiated amendments to the Zoning Ordinance to establish as a new Section 4-600, a PCID district; and

WHEREAS, the Planning Commission, following a public hearing on January 30, 1997, and extensive review and discussion of the proposed PCID district ordinance, voted unanimously on June 26, 1997, to recommend that the Board adopt the PCID district ordinance; and

WHEREAS, the Board of Supervisors, following a public hearing on November 18, 1997, finds that the proposed Ordinance meets the intent of the Comprehensive Plan and will provide a new, planned commercial industrial district that promotes and provides for quality, planned economic development in the County; and

WHEREAS, the Board of Supervisors now wishes to adopt the Ordinance;
and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare or good zoning practice is satisfied by these amendments to the Fauquier County Zoning Ordinance; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 18th day of August 1998, That Article 4 of the Fauquier County Zoning Ordinance be, and is hereby, amended to establish as Section 4-600 a Planned Commercial Industrial Development (PCID) District in accordance with the following amendments:

ARTICLE FOUR, SECTION 600
PLANNED COMMERCIAL INDUSTRIAL DEVELOPMENT DISTRICTS

SECTION 4-600 PLANNED COMMERCIAL INDUSTRIAL DEVELOPMENT DISTRICT

4-601 Purpose and Intent

The Planned Commercial Industrial Development (PCID) District is

intended to permit development in accordance with the Comprehensive Plan of a mixed-use limited commercial and light industrial park which is under one ownership or control. Planned Commercial Industrial Developments shall be planned and developed as a single entity, subject to an approved Development Plan. The PCID shall be designed with a park-like atmosphere to complement surrounding land uses by means of appropriate siting of buildings and service areas, attractive architecture, and effective landscape buffering which protect property values in surrounding neighborhoods. PCID Districts shall be located within Service Districts and in locations designated for such use in the Comprehensive Plan.

It is intended that these regulations provide flexibility in development by providing for a mix of compatible uses with flexibility in internal relationships of design elements. The PCID is not intended for more intensive commercial and industrial uses such as shopping centers, malls, large-scale retail establishments and the more impactive and heavy industrial uses. Such uses are more appropriate for the existing C-2, C-3 and I-2 zoning districts.

4-602 Size and Location

The minimum area required for the establishment of a PCID district shall be 50 acres. Additional areas may be added to an established PCID if they adjoin and form a logical addition to the approved development of an established PCID. The procedure for an addition shall be the same as if an original application were filed and all requirements shall apply except the minimum acreage requirement above. The minimum acreage for such additions shall be five acres.

PCID districts shall be located in Service Districts as designated in the Comprehensive Plan. PCID districts shall have direct access to a major arterial or collector road. The PCID shall also be located within an area in the Service District that the Comprehensive Plan designates for planned commercial and industrial development and which has sufficient infrastructure to support the proposed development, including roads, public facilities and utilities, or where sufficient infrastructure is planned and expected to be in place. In cases where necessary infrastructure is not yet available, the applicant for a PCID shall make provisions for the necessary infrastructure in the development plan.

4-603 Principal Uses Permitted

The following principal uses shall be permitted, subject to designations of areas and sites for such uses in the approved Development Plan and subject to the use limitations set forth in Section 4-606 below:

- Adult day care center
- Agriculture, horticulture, forestry or fishery
- Auction house
- Bakery, commercial
- Bank or financial institution
- Barber/beauty shop
- Business service and supply service establishments
- Commuter parking lot
- Conference or training center

Convenience stores
 Contractors offices and shops
 Construction office
 Day care, child care, or nursery
 Distribution facility
 Farmers market
 Health and fitness center/spa
 Laundry, dry cleaners, laundromat
 Manufacture, processing, fabrication and/or assembly of products such as, but not limited to scientific and precision instruments, photographic equipment, communication equipment, computation equipment, drugs, medicines, pharmaceuticals, household appliances, toys, sporting and athletic goods, die-cut paperboard and cardboard, glass products made of purchased glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery.
 Medical care facility, major or minor
 Meeting halls for social, fraternal, civic, public and similar organizations
 Motor vehicle service and repair, light
 Offices, administrative, business and professional
 Place of worship
 Plant nursery/greenhouse
 Postal Service, overnight courier collection and overnight mail distribution facility
 Printing service
 Private clubs
 Public and quasi-public uses, including but not limited to post office, library, parks and recreation facilities, governmental office and service facilities, public safety facilities (fire and rescue, police)
 Radio and television recording/broadcasting studio
 Recycling drop off collection center, small
 Repair service establishments
 Research, experimental testing, or development activities
 Restaurants
 Service Stations
 Swimming/tennis/racquet facility
 Technical schools, indoor and outdoor
 Theater, indoor
 Warehousing facilities
 Water and sewer pumping stations
 Wholesale trade establishments

4-604 Secondary Uses Permitted

The following secondary uses shall be permitted only in a PCID which contains one or more principal use; such secondary uses shall be supportive and complementary to (i.e. which serves the users of) existing permitted principal uses. Areas and sites for such uses shall be shown in the approved Development Plan and subject to the use limitations set forth in Section 4-606 below:

(a) Parks, playgrounds, community centers and non-commercial recreational and cultural facilities which are not commercial, public or quasi-public.

(b) Electric, gas, water, sewer and communication facilities, including transformers, pipes, meters, pump stations and related facilities for distribution of local services.

(c) Temporary buildings, the uses of which are incidental to construction operations during development being conducted on the same or adjoining tract or section and which shall be removed upon completion or abandonment of such construction.

4-605 Special Exception Uses

The following uses may be approved by the Board of Supervisors pursuant to the requirements of Article V:

(a) Any use listed in Sections 603 and 604 above which was not specifically designated in the approved Development Plan establishing the PCID.

(b) Hotel/motel

(c) Hospital

(d) Motor freight terminals

(e) Retail sales with floor area less than 75,000 square feet

4-606 Use Limitations

Unless otherwise specified in this Article or modified pursuant to Section 4-612 below, all uses shall conform to the general and specific use limitations and performance standards of Article 6 (Accessory Uses, Accessory Service Uses and Home Occupations); Article 7 (Off-Street Parking and Loading, Private Streets); Article 8 (Signs); and Article 9 (Performance Standards) of this Ordinance. Specific use limitations relating to the PCID are:

(a) Access. No individual lots shall have direct access to an arterial or major collector road.

(b) Utility Location. All utility distribution lines shall be placed underground.

(c) Site Planning. Within any PCID district, the site plan shall provide for efficient groupings of structures, uses and facilities, convenient and safe pedestrian access and for smooth and convenient vehicular traffic flow within the district and at points of entry and exit.

(d) The maximum land area used for retail uses shall not exceed 25 percent of the total permitted Floor Area Ratio (FAR) of the PCID.

4-607 Lot and Building Requirements

Except as specified below and in Section 4-606, Use Limitations, above and as may be modified pursuant to Section 4-612 below by the Board of Supervisors in approving the PCID, lot size, lot width, yards and setbacks, height limits, road frontage and access shall be

the same as specified in this ordinance for the conventional district for the same use or the conventional use most approximating the PCID use.

(a) Location Adjacent to Roads

No building, outdoor storage, areas for the collection of refuse, or loading areas shall be located any closer than 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of a major collector and 35 feet from any private access easement or prescriptive easement.

(b) Location Adjacent to Agricultural and Residential Districts

No building, outdoor storage, areas for the collection of refuse or loading areas shall be permitted closer than 150 feet to any agricultural district, or to any existing or planned residential district.

Outdoor storage, areas for the collection of refuse and loading space located between buildings and such agricultural districts, or existing or planned residential districts where such uses are visible from the said agricultural or residential areas shall be effectively screened. To accomplish this screening a landscaping and screening plan must be submitted and approved as part of site plan review and approval.

(c) Building Height

The height of buildings shall not exceed two stories.

4-608 Floor Area Ratio

The maximum floor area ratio permitted shall be a floor area ratio (FAR) of 25 percent of the gross area of the PCID, exclusive of floodplain.

4-609 Open Space, Landscaping and Buffering

(a) Open Space-General

The development plan for the PCID district shall provide for a minimum of 10% of the total site as open space. Open space shall not include vehicular areas such as streets, roads, travelways and parking lots. Open space may encompass public and private open space, buffer areas, utility easements, wetlands and floodplains. To ensure park-like character within such districts, and to minimize the impact upon agricultural and residential areas, open space and landscaping shall be located and organized in such a way as to maximize the visual effect of green spaces as seen from public ways and adjoining agricultural and residential areas.

(b) Screening and Buffering

Landscaping, buffering and screening shall be used to screen outdoor storage, areas for collection of refuse, loading areas and

parking from streets, agricultural and residential uses. Where the PCID district is immediately adjacent to an existing or planned residential use, the development plan shall include a landscaping and buffering plan to minimize visual and noise impacts to residential uses from all uses on the PCID site.

4-610 Ownership, Operation and Maintenance of Common Open Space and Common Facilities

The approved Development Plan shall include provisions for the ownership, operation and management of all common open space, common private facilities, including private streets, parking, trails and pathways and lakes and commercial areas.

4-611 Architectural Controls and Design Standards

A PCID district is intended to be of a scale, size and location which encourages a harmonious environment and which embodies design features to maximize the park-like nature of the development and to minimize negative impacts on adjacent agricultural and residential properties. To this end, any application for rezoning to the PCID district shall include specific plans for architectural controls and design standards which shall be approved by the Board of Supervisors as part of the rezoning and shall govern the development and construction of improvements on the subject property. These plans shall specify how the controls and standards will be approved for individual projects, how they will be enforced and how and by whom they may be amended.

4-612 Modifications

In order to better accomplish the purposes of the PCID district as set forth in Section 4-601 the Board of Supervisors may, after review and recommendation by the Planning Commission, modify the regulations of this Ordinance and the Subdivision Ordinance upon a finding that the proposed modifications, although not literally in accord with applicable regulations, will satisfy public purposes of the ordinance and regulations to at least an equivalent degree. Modifications to regulations shall be requested and processed concurrent with the rezoning to the PCID district pursuant to provisions listed in Section 4-613 below and Section 13-200 of this Ordinance. However, no modifications shall be permitted which affect uses, use limitations as listed in Section 4-606 of this ordinance, floor area ratio of the PCID district, and requirements regulating setbacks from off-site roads and uses.

4-613 Rezoning to the Planned Commercial and Industrial Development District

Rezoning to the PCID district shall be established by amending the Zoning Map of Fauquier County. The procedures for such an amendment shall be generally as set forth in Section 13-200 of this Ordinance except as provided below. In the event of conflict between the provisions of Section 13-200, the provisions below shall prevail.

1) Pre-Application Conference

Applicants for rezoning to the PCID shall meet with Department of Community Development staff and other appropriate review

agencies to review the proposed Development Plan prior to formal submittal. The purpose of such conferences shall be to assist in bringing the application and material submitted therewith as nearly as possible into conformity with these or other regulations applying in the case. The conference shall also identify specific modifications to the regulations which may be requested pursuant to Section 4-612 above and which seem justified by alternative means to achieve the public purpose for such regulations to at least an equivalent degree. The timing and number of pre-application conferences shall be as mutually agreed to by the applicant and staff.

2) Development Plans - General

All rezoning to the PCID shall require a Development Plan approved by the Board of Supervisors. The approved Development Plan shall govern the development of the project and shall be binding on all current and future owners of the property. The Development Plan shall consist of a Concept Development Plan and other documents which may include, but not be limited to, proffer statements, dedications, contributions, and design standards

3) The Concept Development Plan

Applicant for rezoning to the PCID shall submit at time of application a proposed Concept Development Plan which shall include on one or more plats not exceeding 24 by 36 inches in size at a scale to be approved by the Director:

a) The location and functional relationships of all land uses including the types, number of units and floor area ratio for each bay or mode of development.

b) The location of roads, streets and travelways to provide vehicular traffic circulation, the proposed classification of streets and right-of-way requirements.

c) The general location of proposed open space and the type of ownership proposed.

d) The proposed phasing and sequence of the development plan for each phase and the projected start and completion dates, the density, and approximate type and number of structures, the percentage of each tract to be occupied by structures and the floor area ratio and general design standards for all uses.

e) Topographic information with maximum contour intervals of five (5) feet at a scale to be approved by the Director, soils information to include a map identifying soil types at a scale to be approved by the Director, and the limits of floodplain, if any, on the site.

f) The approximate limits of clearing and grading for each separate tract of development.

g) A conceptual landscaping and buffering plan.

4) Additional Submission Materials

The following additional materials shall be submitted at the time of the application. These materials are to be used by staff, the Planning Commission and the Board of Supervisors in reviewing and evaluating the application and may, along with the proposed Concept Development Plan and basic application materials required by Section 12-200 of this ordinance, form a basis for identification and mitigation of impacts of the proposed development and for making modifications to the proposal to allow it to better satisfy the purpose and intent of the PCID district and to meet all requirements of this ordinance. The required additional materials are:

a) A statement which confirms the ownership or control of the property, the natures of the applicant's interest in the same, and the place of record of the latest instrument in the chain of title for each parcel constituting the subject property.

b) Request for any modifications pursuant to Section 4-612 above. Such requests shall be specific as to all modifications that are being requested, why they are needed or desired and shall provide detailed justification as to how, if approved, the modifications will serve public purposes to at least an equivalent degree as the ordinances being modified.

c) A traffic study to cover on-site traffic generation and distribution and off-site impacts. This traffic study must be acceptable to the Director as to content and technical form before the application is deemed to be complete.

d) A statement indicating the extent, approximate timing and estimated costs of proposed off-site infrastructure improvements such as roads, water, sanitary sewer and stormwater management facilities necessary to construct the development. This statement should identify those facilities to be constructed by the applicant and explain how those to be constructed by others will be provided.

e) A draft Proffer Statement to address mitigation of impacts, including but not limited to, transportation impacts, impacts on public facilities such as schools.

4-614 General Standards for Approval of a Rezoning to the Planned Commercial Industrial Development District

In addition to the specific requirements of this section and the standards for rezoning for all development contained in Section 13-200, the Planning Commission in its review and recommendation and the Board in its approval shall find that the following general standards relating to planned development have been satisfied:

1) The development is in substantial conformance to the adopted

Comprehensive Plan with respect to type, character and intensity of use and public facilities.

2) The design of the development is of such that it achieve the adopted goals of the Comprehensive Plan and the stated purposes of the PCID Ordinance.

3) The development efficiently utilizes the available land and protects and preserves to the extent possible all scenic assets and natural features such as trees, streams and topographic features.

4) The development is designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding properties in accordance with the adopted Comprehensive Plan.

5) The development shall be located in an area in which transportation, police and fire protection, other public facilities and utilities, including water and sewer, are or will be available and adequate for the uses proposed; provided, however, that the applicant shall make provision for such facilities or utilities which are not presently available.

4-615 Validity of the Approved Development Plan

The approved Development Plan shall specify the period of time for which the Plan shall remain valid and what actions must be performed and in what manner in order to continue or extend the period of validity. Upon expiration of any plan no development may occur until the plan is reapproved by the Board of Supervisors in accordance with the provisions of Section 4-605 and Article V.

4-616 Deviations from and Modifications to the Approved Concept Plan

Development of the PCID district shall be in substantial conformance with the Concept Development Plan. Minor deviations from the approved Concept Plan may be permitted when the Director determines that such are necessary due to the requirements of topography, drainage, structural safety or vehicular circulation and such deviations will not materially alter the character of the approved Development Plan including the proposed development phasing and does not violate other binding components of the Plan including approved Proffers. In no case shall deviations include changes to the general location and types of land uses; or an increase of greater than 5% in overall floor area; or changes in total area for open space. Changes not in conformance with this section or not deemed minor deviations shall require a special exception in conformance with Section 4-605 and Article V, provided however changes to any approved proffers shall be made in conformance with Section 13-200.

A RESOLUTION TO ACCEPT COMMONWEALTH OF VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES GRANT NUMBER 99-C6356CC99 AND TO APPROPRIATE ADDITIONAL STATE REVENUE IN THE AMOUNT OF \$9,100 TO THE BUDGET OF THE OFFICE OF ADULT COURT SERVICES

Mr. Weeks moved to adopt the following resolution. Mr. Rankin seconded,

and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A.
Rankin

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO ACCEPT COMMONWEALTH OF VIRGINIA DEPARTMENT OF
CRIMINAL JUSTICE SERVICES GRANT NUMBER 99-C6353CC99, AND TO
APPROPRIATE ADDITIONAL STATE REVENUE IN THE AMOUNT OF \$9,100 TO
THE BUDGET OF THE OFFICE OF ADULT COURT SERVICES

WHEREAS, the Fauquier County Office of Adult Court Services has
submitted an application for state funding from the Commonwealth of Virginia
Department of Criminal Justice Services for community corrections programming;
and

WHEREAS, the Commonwealth of Virginia has awarded a project grant for
community corrections programming in Fiscal Year 1999 in the amount of
\$130,936; and

WHEREAS, such grant award represents projected state revenue for Fiscal
Year 1999 in the amount of \$121,836 plus an additional \$9,100 in dedicated state
funding for the hiring of part-time, temporary staff to assist in community
corrections programming; and

WHEREAS, the appropriation of the additional state revenue will not require
any local match, and the part-time, temporary position created with this revenue
will be discontinued if this revenue is discontinued; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of
August 1998, That Grant Number 99-C6353CC99 issued by the Commonwealth of
Virginia Department of Criminal Justice Services be, and is hereby, accepted; and,
be it

RESOLVED FURTHER, That \$9,100 in additional state revenue be
appropriated to the budget of the Office of Adult Court Services for the hiring of
part-time, temporary staff to assist in community corrections programming.

A RESOLUTION ENDORSING THE ESTABLISHMENT OF THE VIRGINIA COALITION
OF HIGH GROWTH COMMUNITIES AND APPOINTMENT OF DAVID MANGUM AS
FAUQUIER COUNTY'S REPRESENTATIVE TO THIS COALITION

Mr. Mangum moved to adopt the following resolution. Mr. Weeks seconded,
and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A.
Rankin

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION ENDORSING THE ESTABLISHMENT
OF THE VIRGINIA COALITION OF HIGH GROWTH
COMMUNITIES AND APPOINTMENT OF ITS CHAIRMAN
AS FAUQUIER COUNTY'S REPRESENTATIVE

WHEREAS, many jurisdictions in the Commonwealth of Virginia are experiencing rapid growth; and

WHEREAS, rapid growth presents unique fiscal and infrastructure development challenges in jurisdictions that are experiencing this phenomena; and

WHEREAS, issues of growth are of major concern to local elected and appointed officials in these high growth jurisdictions; and

WHEREAS, on June 19, 1998, more than twenty jurisdictions attended a high growth forum and concluded that there is the need to address common issues in a more unified and strategic fashion; and

WHEREAS, the Commonwealth of Virginia is a Dillon Rule state and, therefore, local governments must rely on the Virginia General Assembly for much of their authority; and

WHEREAS, the economic well being of the Commonwealth of Virginia is dependent upon the economic development of its local jurisdictions; and

WHEREAS, the high growth local governments in the Commonwealth of Virginia are interested in establishing a partnership to help raise the awareness of the Virginia General Assembly to local growth management concerns; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 1998, That the Board does hereby endorse a partnership of jurisdictions in the Commonwealth of Virginia that are experiencing rapid growth to be known as the "Virginia Coalition of High Growth Communities"; and, be it

RESOLVED FURTHER That the Fauquier County Board of Supervisors does hereby support the participation of Fauquier County in the Coalition and that its Chairman be, and is hereby, designated to serve as the representative on this Coalition.

APPOINTMENTS TO THE PARKS AND RECREATION BOARD

Mr. Green moved to appoint David Graham, Jr. to the Parks and Recreation Board for a two-year term ending September 14, 2000. Mr. Rankin seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A.
Rankin

Nays: None

Absent During Vote: None

Abstention: None

DISCUSSION OF MOSBY DRIVE AND CHESTNUT TURN ROAD CLOSURE -
SUPERVISOR RANKIN

The Board of Supervisors agreed to consider a resolution regarding closure of Mosby Drive in the Chestnut Turn Subdivision at the September 1, 1998 meeting.

A REQUEST FOR CONTRIBUTION TO FAUQUIER HOUSING FOR RENT
ABATEMENT FOR RESIDENTS OF THE OAKS

Mr. Weeks moved to table a decision on a request for contribution to Fauquier Housing for rent abatement for residents of The Oaks until the September 15, 1998 meeting. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin

Nays: None

Absent During Vote: None

Abstention: None

SUPERVISORS TIME

Mr. Weeks requested Board support in establishing a Task Force on Pay for Uniformed Employees. A letter regarding this issue was forwarded to the Public Safety Committee for review and recommendation.

Mr. Green requested that a resolution of appreciation be considered at a future meeting to honor Dick Bowen for his service to the Parks and Recreation Board.

Mr. Green informed the Board that a request for funding from the Rappahannock River Study Commission would be forthcoming.

ANNOUNCEMENTS

Mr. Lee informed the Board that the Virginia Power Tour to Richmond would be held August 25 at 8:00 a.m.

Mr. Lee informed the Board that a public information meeting sponsored by Virginia Power would be held September 2 from 4:00 p.m. to 8:00 p.m. at Cedar Lee Middle School.

A RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING THE OUT OF
TURN FILING OF A COMPREHENSIVE PLAN AMENDMENT AND THE SCHEDULING
AND HOLDING OF A JOINT PUBLIC HEARING WITH THE FAUQUIER COUNTY
PLANNING COMMISSION ON THE SPECIAL EXCEPTION REQUEST AND
COMPREHENSIVE PLAN AMENDMENT RELATING TO THE PROPOSED VIRGINIA
POWER REMINGTON COMBUSTION TURBINE STATION APPLICATION

Mr. Weeks moved to adopt the following resolution. Mr. Rankin seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING
THE OUT OF TURN FILING OF A COMPREHENSIVE PLAN
AMENDMENT AND THE SCHEDULING AND HOLDING OF A JOINT PUBLIC
HEARING WITH THE FAUQUIER COUNTY PLANNING
COMMISSION ON THE SPECIAL EXCEPTION REQUEST AND
COMPREHENSIVE PLAN AMENDMENT RELATING TO THE PROPOSED
VIRGINIA POWER REMINGTON COMBUSTION TURBINE STATION APPLICATION

WHEREAS, Virginia Power has filed an application for a special exception to
locate upon 500 acres a combustion turbine plant; and

WHEREAS, Virginia Power intends to file an application to amend the
Fauquier County Comprehensive Plan to permit the location of the combustion
turbine station on the aforesaid 500 acres; and

WHEREAS, Virginia Power intends to file an application for special exception
to expand the existing Remington Substation; and

WHEREAS, Virginia Power has requested that the Fauquier County Board of
Supervisors process their applications jointly, and in the most expedient manner
possible; and

WHEREAS, the Board of Supervisors, mindful of its commitment to economic
development, wishes to accommodate Virginia Power's request; now, therefore, be
it

RESOLVED, by the Board of Supervisors of Fauquier County this 18th day of
August 1998, That Virginia Power's filing of the out of turn Comprehensive Plan
amendment be, and is hereby, accepted; and, be it

RESOLVED FURTHER, That the Board of Supervisors hereby authorizes and
directs the County Administrator to schedule with the Fauquier County Planning
Commission a joint public hearing on the application of Virginia Power to consider
the granting of a special exception to locate an electric power generator plant on
500 acres and to expand the existing Remington Substation; and, be it

RESOLVED FINALLY, That the County Administrator shall also include in the
aforesaid joint public hearing Virginia Power's application to amend the
Comprehensive Plan designation of the property, which is the subject of Virginia
Power's application, from rural agricultural to industrial and to identify the aforesaid
special exception use as a feature shown on the Fauquier County Comprehensive
Plan.

DOCUMENT DESTRUCTION FEE SCHEDULE - FAUQUIER COUNTY RECYCLING

A public hearing was held to consider adopting a fee schedule for the
Fauquier County Recycling Department to offer document destruction services to
businesses within the County. No one spoke. The public hearing was closed. Mr.
Burton moved to adopt the following resolution. Mr. Weeks seconded, and the
vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W.

Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO ADOPT A FEE SCHEDULE FOR LOCAL BUSINESSES DESIRING THE DOCUMENT DESTRUCTION SERVICES OF FAUQUIER COUNTY RECYCLING

WHEREAS, Fauquier County Recycling and Litter Control has organized and implemented a Confidential Document Destruction Program for all County Government and School Offices; and

WHEREAS, Fauquier County Recycling and Litter Control has developed standard operating procedures and policies to securely and accurately collect, weigh, shred, and recycle confidential and classified materials; and

WHEREAS, several local businesses have requested participation in the document destruction service and have indicated a willingness to pay a fee for such services; and

WHEREAS, the Fauquier County Recycling and Litter Control Office has conducted market research and established an appropriate fee schedule and accounting procedures; and

WHEREAS, the Fauquier County Recycling and Litter Control Office requests to implement said fee schedule for the purpose of generating additional revenues; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 1998, That the Board does hereby adopt the following Document Destruction Fee Schedule for local businesses desiring to use the service.

FAUQUIER COUNTY DOCUMENT DESTRUCTION FEE SCHEDULE

Description of Services: The Fauquier County Recycling Office will collect documents from local businesses and offices and shred the material at the County Recycling Facility. The service will include security containers, bags and pickup services, immediate document destruction and notarized affidavit of destruction. The price will include all labor, transportation, equipment and disposal costs. For information on destruction of microfilm, video tapes, computer tapes and computer disk packs, contact the Recycling Office at 347-6823.

The Fee Schedule: Billing will be on a monthly basis. Invoices will be sent out the first week of each month, and will be billed as follows:

- 1) \$0.15 per pound for paper;
- 2) 10% discount for paper that is sorted into high grade and mixed paper;
- 3) 5% discount if you deliver your own paper; and
- 4) 15% discount if you sort and deliver your own paper.

Fauquier County reserves the right to refuse or to accept excessive volumes without prior notice, and/or materials deemed unsuitable or contaminated.

Fees are subject to change with a sixty day notice.

SPECIAL EXCEPTION - JEROME AND MARION WISNIEWSKI, OWNERS, AND
SYED M. HUSAIN, APPLICANT

At the request of the owners, the special exception request for Jerome and Marion Wisniewski, Owners, and Syed M. Husain, Applicant, was withdrawn.

SPECIAL EXCEPTION - SALAHY FAMILY LIMITED PARTNERSHIP/OASIS WINERY

A public hearing was held to consider a request for special exception approval for the Salahy Family Limited Partnership/Oasis Winery under Category 3-309.16, Spectator and Non-Spectator Field Events and Activities (Class C) of the County Zoning Ordinance to hold events at the winery. The property contains 108.209 acres and is located on the south side of Hume Road (Route 635), approximately one-half mile east of the Fauquier County/Rappahannock County boundary near Hume, PIN #5998-87-0439-000 and #5998-88-4344-000, Marshall District. Hank Day, representing the Salahy Family, Tareq Salahy, Patrick Duffler, Mary Davis Barton, Michael Ballard, Dan Neja, Poo Baker, Raymond Guest, Jr., Stephanie Harvey, Ashley Harvey, Lynn Pirozzoli, Steve Potucek, Katherine Toller-Mark, and Jeannie Blackwell spoke in favor of the request. Frank Reynolds, representing several adjacent property owners, Rick Hart, Peggy Clark, Jennifer Hanford, Lorraine Kesting, Linda Stern, Bob Claymier, David Arnold, Jim Conway, William Duval, Brenda Moorman, Harold Young, Diane Bitter, Judith Hensdell for Lynn and Tom Beavers, and Greg Dobeon spoke in opposition to the request. The public hearing was closed. Mr. Green moved to table the decision until the September 15, 1998 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin

Nays: None

Absent During Vote: None

Abstention: None

COMPREHENSIVE PLAN AMENDMENT AND REZONING REQUEST - EUGENE
NELSON/ANDREA NELSON-GAINES

A public hearing was held to consider a request from Eugene Nelson and Andrea Nelson-Gaines for a Comprehensive Plan Amendment to extend the boundary of the Settlement of Morgantown to include the subject property and to rezone the subject property from Rural Agriculture (RA) to Residential, one dwelling per acre (R-1). The property is located on a private road (Molson's Ridge) immediately north of the Morgantown Settlement, PIN #6959-84-3990-000, Marshall District. Andrea Nelson-Gaines spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following resolution and ordinance. Mr. Rankin seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE COMPREHENSIVE PLAN
AMENDMENT #CPA98-M-04, NELSON PROPERTY

WHEREAS, Eugene Nelson has filed an application to amend the Fauquier County Comprehensive Plan in accordance with the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, this amendment is to extend the Settlement of Morgantown boundary to include the Nelson property; and

WHEREAS, the Nelson property is situated adjacent to the Settlement of Morgantown; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on July 30, 1998, regarding this Comprehensive Plan Amendment and unanimously recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 1998, That the Fauquier County Comprehensive Plan be, and is hereby, amended by expanding the Morgantown Settlement to include the 10.377 acre parcel identified by parcel identification number 6959-84-3990-000.

ORDINANCE

AN ORDINANCE TO APPROVE REZONING
REQUEST #RZ98-M-06, NELSON PROPERTY

WHEREAS, the applicant, Eugene Nelson, has initiated a request to amend the Fauquier County Zoning Map by changing the designation for a 10.377 acre parcel, identified by parcel identification number 6959-84-3990-000, from Rural Agriculture (RA) to Residential, one dwelling unit per acre (R-1); and

WHEREAS, the applicant has filed an application to amend the Fauquier County Zoning Ordinance in accordance with the provisions of Article 13-202; and

WHEREAS, the 10.377 acre property is situated within the Settlement of Morgantown, as based on the approved Comprehensive Plan Amendment #CPA98-M-04; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on July 30, 1998, regarding this rezoning request and unanimously recommended approval; and

WHEREAS, the Board of Supervisors on August 18, 1998, held a public hearing on this rezoning request; and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning Map; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 18th day of August 1998, That Rezoning Request #RZ98-M-06 to change the zoning designation for a 10.377 acre parcel on Molson's Ridge, identified as PIN #6959-84-3990-000, from RA (Rural Agriculture) to R-1 (Residential) be, and is hereby, approved.

SPECIAL EXCEPTION - HEARTH AND HOME DISTRIBUTORS, INC., OWNERS, AND
COMMUNITY WIRELESS STRUCTURES, LLC, APPLICANTS

A public hearing was held to consider a request for special exception approval for Hearth and Home Distributors, Inc., Owners, and Community Wireless Structures, LLC, Applicants, under Category 3-320.3, Public Utilities, of the Zoning Ordinance to construct and operate a telecommunications facility and accessory uses to include a self-supporting monopole tower not to exceed 199 feet in height. The property is located on Business Boulevard in the New Baltimore Business Park, Phase Two, Lots 2 and 3, PIN #7916-03-1403-000, Scott District. Tam Murray, representing Community Wireless Structures, LLC, spoke in favor of the request. Owen Bludau, representing the Vint Hill Economic Development Authority, spoke in opposition. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W.
Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION
REQUEST #SE98-S-03
TELECOMMUNICATIONS TOWER

WHEREAS, the Property Owner, Hearth and Home Distributors, Inc., and the Applicant, Community Wireless Structures, LLC, have filed an application for a special exception to construct and operate a telecommunications facility and accessory uses to include a monopole tower not to exceed 199 feet in height; and

WHEREAS, the Special Exception Application of Hearth and Home Distributors, Inc., Property Owners and Community Wireless Structures LLC, Applicant, has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Articles 5-2000 and 5-2001 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing April 30, 1998 on this special exception amendment request and recommended approval; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 18th day of August 1998, That Special Exception #SE98-S-03, Hearth and Home Distributors, Inc., Property Owners (PIN# 7916-03-1403-000), be and is hereby, approved subject to the following finding and conditions:

1. The Applicant shall obtain all necessary FAA (Federal Aviation Administration) approvals and the tower will conform to all FCC (Federal Communication Commission) and FAA regulations at all times.
2. The tower structure of the communication facility subject of this special exception request shall be of a monopole type of construction.
3. The tower shall be painted appropriately so as to minimize visual impacts as permitted by FAA regulations.

4. The height of the tower shall not exceed 199 feet.
5. A landscaping plan will be submitted with the site plan.
6. The tower shall be lighted only to meet FAA requirements with no additional lighting permitted.
7. Prior to the issuance of a zoning permit, three (3) telecommunication providers shall have executed leases with the Applicant. The Applicant shall make reasonable efforts to permit co-location by any additional telecommunication users. The Applicant shall provide written documentation to the Zoning Administrator in the event that any future co-location cannot be accommodated.
8. If the tower use is taken out of service or abandoned due to changing technology or for some other reason for 18 months, the tower and the accessory uses will be removed at the owners expense.
9. The applicants shall provide to the County public service agencies, at no cost to the locality, one acceptable site on the tower and necessary space in the equipment room.

With no further business, the meeting was adjourned.